

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTELLAS PHARMA INC.,)	
ASTELLAS US LLC and)	
ASTELLAS PHARMA US, INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 18-1818 (RGA)
)	
XELLIA PHARMACEUTICALS APS and)	
XELLIA PHARMACEUTICALS, INC.,)	
)	
Defendants.)	


ORDER OF DISMISSAL

Upon the joint application of Plaintiffs Astellas Pharma Inc., Astellas US LLC, and Astellas Pharma US, Inc. (collectively, "Astellas") and Defendants Xellia Pharmaceuticals ApS and Xellia Pharmaceuticals, Inc. (collectively, "Xellia") for an Order of Dismissal without prejudice, the Parties having consented thereto:

IT IS this 29 day of April, 2019

ORDERED, ADJUDGED AND DECREED as follows:

1. The Complaint and Counterclaim are dismissed, without prejudice.
2. Each Party shall bear its own costs and attorneys' fees.
3. Nothing herein shall prohibit or restrict Xellia from filing or maintaining any Paragraph IV certifications under 21 U.S.C. § 355(j)(2)(A)(vii)(IV) (as amended or supplemented), and nothing herein shall prohibit or restrict the Food and Drug Administration from reviewing and approving ANDA No. 211713.


Richard G. Andrews, U.S.D.J.